

105TH CONGRESS
1ST SESSION

H. R. 563

To establish a toll free number in the Department of Commerce to assist consumers in determining if products are American-made.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1997

Mr. TRAFICANT introduced the following bill; which was referred to the Committee on Commerce

A BILL

To establish a toll free number in the Department of Commerce to assist consumers in determining if products are American-made.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT OF TOLL FREE NUMBER PRO-**
4 **GRAM.**

5 (a) ESTABLISHMENT.—The Secretary of Commerce
6 shall establish a toll free number program to help inform
7 consumers whether a product is made in America or the
8 equivalent thereof. The Secretary shall publish the toll-free
9 number by notice in the Federal Register.

1 (b) CONTRACT.—The Secretary of Commerce shall
2 enter into a contract for—

3 (1) the establishment and operation of the toll
4 free number pilot program provided for in subsection
5 (a), and

6 (2) the registration of products pursuant to
7 regulations issued under section 2,
8 which shall be funded entirely from fees collected under
9 section 2(b).

10 (c) USE.—The toll free number shall be used solely
11 to inform consumers as to whether products are registered
12 under section 2 as made in America or the equivalent
13 thereof. Consumers shall also be informed that registra-
14 tion of a product does not mean—

15 (1) that the product is endorsed or approved by
16 the Government,

17 (2) that the Secretary has conducted any inves-
18 tigation to confirm that the product is a product
19 which meets the definition of made in America or
20 the equivalent thereof, or

21 (3) that the product contains 100 percent Unit-
22 ed States content.

23 **SEC. 2. REGISTRATION.**

24 (a) PROPOSED REGULATION.—The Secretary of
25 Commerce shall promulgate a regulation—

1 (1) to establish a procedure under which the
2 manufacturer of a product may voluntarily register
3 such product as complying with the definition of a
4 product made in America or the equivalent thereof
5 and have such product included in the information
6 available through the toll free number established
7 under section 1(a);

8 (2) to establish, assess, and collect a fee to
9 cover all the costs (including start-up costs) of reg-
10 istering products and including registered products
11 in information provided under the toll-free number;
12 and

13 (3) for the establishment under section 1(a) of
14 the toll-free number pilot program.

15 (b) REGISTRATION FEE.—

16 (1) IN GENERAL.—Manufacturers of products
17 included in information provided under section 1
18 shall be subject to a fee imposed by the Secretary
19 of Commerce to pay the cost of registering products
20 and including them in information provided under
21 subsection (a).

22 (2) AMOUNT.—The amount of fees imposed
23 under paragraph (1) shall—

1 (A) in the case of a manufacturer, not be
2 greater than the cost of registering the manu-
3 facturer's product and providing product infor-
4 mation directly attributable to such manufac-
5 turer, and

6 (B) in the case of the total amount of fees,
7 not be greater than the total amount appro-
8 priated to the Secretary of Commerce for sala-
9 ries and expenses directly attributable to reg-
10 istration of manufacturers and having products
11 included in the information provided under sec-
12 tion 1(a).

13 (3) CREDITING AND AVAILABILITY OF FEES.—

14 (A) IN GENERAL.—Fees collected for a fis-
15 cal year pursuant to paragraph (1) shall be
16 credited to the appropriation account for sala-
17 ries and expenses of the Secretary of Commerce
18 and shall be available in accordance with appro-
19 priation Acts until expended without fiscal year
20 limitation.

21 (B) COLLECTIONS AND APPROPRIATION
22 ACTS.—The fees imposed under paragraph
23 (1)—

24 (i) shall be collected in each fiscal
25 year in an amount equal to the amount

1 specified in appropriation Acts for such fis-
2 cal year, and

3 (ii) shall only be collected and avail-
4 able for the costs described in paragraph
5 (2).

6 **SEC. 3. PENALTY.**

7 Any manufacturer of a product who knowingly reg-
8 isters a product under section 2 which is not made in
9 America or the equivalent thereof—

10 (1) shall be subject to a civil penalty of not
11 more than \$7500 which the Secretary of Commerce
12 may assess and collect, and

13 (2) shall not offer such product for purchase by
14 the Federal Government.

15 **SEC. 4. DEFINITION.**

16 For purposes of this Act:

17 (1) The term “made in America or the equiva-
18 lent thereof” means—

19 (A) an unmanufactured end product mined
20 or produced in the United States; or

21 (B) an end product manufactured in the
22 United States if the value of its components
23 mined, produced, or manufactured in the
24 United States equals 90 percent or more of the
25 total value of all of its components.

1 (2) The term “product” means a product with
2 a retail value of at least \$250.

3 **SEC. 5. RULE OF CONSTRUCTION.**

4 Nothing in this Act or in any regulation promulgated
5 under section 2 shall be construed to alter, amend, modify,
6 or otherwise affect in any way, the Federal Trade Com-
7 mission Act or the opinions, decisions, and rules of the
8 Federal Trade Commission under such Act regarding the
9 use of the term “made in America or the equivalent there-
10 of” in labels on products introduced, delivered for intro-
11 duction, sold, advertised, or offered for sale in commerce.

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